

### REMARKS

Reconsideration and allowance of the application are respectfully requested in light of the above amendments and the following remarks.

The abstract has been amended to overcome the objection thereto.

Claims 1-8 have been cancelled in favor of new claims 9-15. Support for the subject matter of the new claims is provided at least in the original claims and Figs. 9 and 10 and their accompanying descriptions in the specification.

Claims 1, 2, and 7 were rejected, under 35 USC §102(b), as being anticipated by Takai (US 6,140,961). Claims 3, 4, 6, and 8 were rejected, under 35 USC §103(a), as being unpatentable over Aizawa et al. (EP 1 206 051) in view of Hiramatsu (EP 0 851 609). Claims 5 was rejected, under 35 USC §103(a), as being unpatentable over Aizawa in view of Hiramatsu and Sawahashi et al. (US 6,069,912). To the extent these rejections may be deemed applicable to new claims 9-15, the Applicants respectfully traverse.

As described in the specification, a conventional base station may transmit a pilot signal with one directivity and packet data with another directivity (see specification page 2). As a result, when the base station receives feedback information

as to how well the pilot signal was received, this information does not necessarily reflect how well the packet data was received. And, even in cases in which the pilot signal and data packet are transmitted with the same directivity, though at different times, the change in the propagation channel between the time the pilot signal and the data packet are transmitted may greatly affect the actual reception quality of the data packet with respect to the quality perceived by the base station, based upon feedback information of the pilot signal's reception (see the specification at page 3).

The subject matter of claim 9 overcomes these deficiencies of the related art. Claim 9 defines a communication terminal that measures the reception quality of a signal received from a base station with a particular directivity, determines the base station's timing for switching the transmission directivity of communicated data packets based on information communicated with the received signal, nullifies reception quality measurements made in a period immediately before the directivity switching time, and transmits to the base station information indicating the reception quality measured before the nullification period. Thus, the claimed communication terminal communicates to a base station the measured reception-quality information associated with the transmission timing and directivity used to communicate

a data packet and avoids associating such quality information with a data packet transmitted with a newly applied directivity. In other words, because the base station may be switching its antenna directivity rapidly when communicating data packets to a communication terminal, the base station must be able to correlate a communicated data packet with the reception quality of a signal having the same directivity and transmission period as that used to communicate the data packet so as to better decide the future directivity to use in communicating data packets. It is submitted that the teachings of the applied references, taken alone or together, fail to suggest the combined features mentioned above and the benefits derived therefrom.

The Office Action cites Takai for disclosing a base station that applies the same antenna directivity to a pilot channel and a communication channel (see Office Action sentence bridging pages 2 and 3). Aizawa is cited for disclosing whether or not to change an antenna directivity based on reception quality information received from a communicating party (see Office Action sections 10 and 11). Hiramatsu discloses a receiver that delays the application of a despreading code based on delay information received from a base station. Sawahashi is cited for disclosing the rotation of antenna directivity at predetermined intervals (see Office Action, sentence bridging pages 7 and 8).

However, the individual or combined teachings of the applied references do not suggest the combined features recited in claim 9 of measuring the reception quality of a signal received from a base station with a particular directivity, determining the base station's timing for switching the transmission directivity of communicated data packets based on information communicated with the received signal, nullifying reception quality measurements made in a period immediately before the directivity switching time, and transmitting to the base station information indicating the reception quality measured before the nullification period.

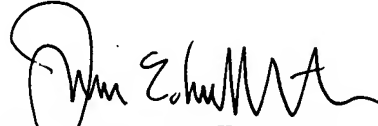
Accordingly, the Applicants respectfully submit that the applied references, considered individually or in combination, do not render obvious the subject matter defined by new claim 9. Independent claim 14 similarly recites the above-mentioned features distinguishing apparatus claim 9 from the applied references, but with respect to a method. Therefore, allowance of claims 9 and 14 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone

the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James E. Ledbetter', with a stylized, flowing script.

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Date: February 21, 2007  
JEL/DWW/att

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